

*Monday, November 29, 1982*

## Senate

### Chamber Action

*Routine Proceedings, pages 27660-27749*

**Bills Introduced:** Four bills and two resolutions were introduced, as follows: S. 3041-3044, and S. Res. 495-496.

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**Bills Reported:** Reports were made as follows:

Reported October 18, 1982, during adjournment of Senate:

Report to accompany S. 1562, establishing the Arctic Research Council to coordinate a comprehensive Arctic research policy. (S. Rept. No. 97-660)

S. Res. 458, expressing the sense of the Senate that the Export-Import Bank of the United States shall be given sufficient authority and shall provide competitive financing for American exports (with additional views). (S. Rept. No. 97-661)

H.R. 7094, imposing a tax on failures to adhere to conditions of determination letters relating to independent management of the assets of multiemployer plans, with an amendment in the nature of a substitute. (S. Rept. No. 97-662)

Special Report on Monetary Policy for 1982. (S. Rept. No. 97-663)

Reported November 15, 1982:

Special Report on the transfer of United States high technology to the Soviet Union and Soviet Bloc nations (with additional views) (S. Rept. No. 97-664)

Report to accompany S. 2127, increasing competition in government contracting by imposing new restrictions on the use of noncompetitive contracts. (S. Rept. No. 97-665)

S. 3041, authorizing funds through fiscal year 1987 for and extending certain programs of the Clean Air Act (with additional, minority, and supplemental views). (S. Rept. No. 97-666)

H.R. 4577, revising certain provisions of the Economic Recovery Act Tax Act (P.L. 97-34) with respect to the taxation of property received by an employee as compensation for services, with amendments. (S. Rept. No. 97-667)

S. 1908, providing for the reinstatement and validation of U.S. oil and gas lease NM-A26947, with amendments. (S. Rept. No. 97-668)

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**Executive Report:** Senate received the following Executive Report during the adjournment, on November 15, 1982:

Nomination of Martin S. Feldstein, of Massachusetts, to be a Member of the Council of Economic Advisors (together with Minority views). (Exec. Rept. No. 97-65)

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**Presidential Messages:** Senate received the following messages from the President during the adjournment of the Senate:

Received October 25, 1982:

(1) Transmitting Annual Report of the Railroad Retirement Board for fiscal year 1981. Referred to the Committee on Labor and Human Resources. (PM-185).

(2) Transmitting Report on pay adjustments ordered for the Federal statutory pay systems in October 1982. Referred to the Committee on Governmental Affairs. (PM-186)

(3) Transmitting Annual Report on the Highway Safety Act and the National Traffic and Motor Vehicle Safety Act concerning motor vehicle safety. Referred to the Committee on Commerce, Science, and Transportation. (PM-187)

Received November 1, 1982:

(1) Transmitting Report with respect to developments between May 6 and mid-October 1982, concerning the national emergency with respect to Iran. Referred to the Committee on Banking, Housing, and Urban Affairs. (PM-188)

Received November 5, 1982:

Transmitting Twelfth Annual Report on Hazardous Materials Transportation for calendar year 1981. Referred to the Committee on Commerce, Science, and Transportation. (PM-189)

Received November 8, 1982:

(1) Transmitting notice of extension of national emergency with regard to Iran. Referred to the Committee on Banking, Housing, and Urban Affairs. (PM-190)

Received November 15, 1982:

(1) Transmitting Seventeenth Annual Report of the Department of Housing and Urban Development covering calendar year 1981. Referred to the Committee on Banking, Housing, and Urban Affairs. (PM-191)

(2) Transmitting final report of the National Advisory Council on Economic Opportunity. Referred to the Committee on Labor and Human Resources. (PM-192)

(3) Submitting a memorandum of law describing the nature and extent of authorities available to the President for responding to severe energy supply disruptions or reductions. Referred to the Committee on Energy and Natural Resources. (PM-193)

(4) Transmitting first annual report on Alaska's mineral resources covering 1982. Referred to the

Committee on Energy and Natural Resources. (PM-194)

Received November 18, 1982:

(1) Transmitting Annual Report on the Trade Agreements Program 1981-1982. Referred to the Committee on Finance. (PM-195).

Received October 26, 1982:

Lev E. Dobriansky, of Virginia, to be Ambassador to the Commonwealth of the Bahamas.

Received November 5, 1982:

Samuel F. Hart, of Virginia, to be Ambassador to Ecuador.

Victor M. F. Reyes, of Texas, to be a Commissioner of the United States Parole Commission.

Wendy H. Borchardt, of California, to be Deputy Under Secretary for Intergovernmental and Interagency Affairs, Department of Education.

Allen Drury, of California, Celeste Holm, of New York, Raymond J. Learsy, of New York, Samuel Lipman, of New York, George L. Schaefer, of California, and Robert Stack, of California, each to be a Member of the National Council on the Arts.

Robert F. Gilkeson, of Pennsylvania, William F. Miller, of California, and William A. Nierenberg, of California, each to be a Member of the National Science Board, National Science Foundation.

Routine lists of Navy and Air Force nominations.

Received November 15, 1982:

Donald P. Hodel, of Oregon, to be Secretary of Energy.

Edward M. Elmendorf, of Vermont, to be Assistant Secretary for Postsecondary Education, Department of Education.

Martha O. Hesse, of Illinois, to be an Assistant Secretary of Energy (Management and Administration).

Peter K. Nunez, to be U.S. Attorney for the Southern District of California.

Katherine D. Ortega, of New Mexico, to be a Commissioner of the Copyright Royalty Tribunal.

E. Robert Wallach, of California, to be a Member of the U.S. Advisory Commission on Public Diplomacy.

Enrique J. Leon, of New York, and Susan W. Liebeler, of California, each to be a Member of the U.S. International Trade Commission.

19 Air Force nominations in the rank of General.

Routine lists of Navy and Air Force nominations.

Received November 19, 1982:

Joseph V. Colaianni, of Maryland, and Robert J. Yock, of Virginia, each to be a Judge of the U.S. Claims Court.

Dwight G. Williams, to be U.S. Marshal for the Northern District of Mississippi.

Charles E. Healey, to be U.S. Marshal for the Eastern District of New York.

Daniel B. Wright, to be U.S. Marshal for the Western District of New York.

David L. Slate, of California, to be General Counsel of the Equal Employment Opportunity Commission.

C. Douglas Dillon, of New Jersey, to be a Member of the National Council on the Arts.

Henry R. Folsom, of Delaware, to be a Commissioner of the Postal Rate Commission.

William G. Simpson, of Illinois, to be a Member of the Board of Directors of the Overseas Private Investment Corporation.

Kenneth Y. Tomlinson, of New York, to be an Associate Director of the U.S. Information Agency.

31 Air Force nominations in the rank of General.

Received November 22, 1982:

Jerome W. Van Gorkom, of Illinois, to be Under Secretary of State for Management.

36 Army nominations in the rank of General.

Routine list of Navy nominations.

Received November 23, 1982:

Paul E. Plunkett, to be U.S. District Judge for the Northern District of Illinois.

John W. Bissell, to be U.S. District Judge for the District of New Jersey.

Frank X. Altieri, to be U.S. District Judge for the District of New York.

Frank W. Bullock, Jr., to be U.S. District Judge for the Middle District of North Carolina.

Sam H. Bell, to be U.S. District Judge for the Northern District of Ohio.

Christine C. Nettesheim, of the District of Columbia, to be a Judge of the U.S. Claims Court.

Received November 24, 1982:

John H. Holdridge, of Maryland, to be Ambassador to the Republic of Indonesia.

Harry N. Walters, of Virginia, to be Administrator of Veterans' Affairs.

Geoffrey M. Alprin, to be an Associate Judge of the Superior Court of the District of Columbia.

Virginia L. Riley, to be an Associate Judge of the Superior Court of the District of Columbia.

Donald L. Dotson, of Pennsylvania, to be a Member of the National Labor Relations Board.

William L. Van Alen, of Pennsylvania, to be a Member of the National Council on the Arts.

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#### Communications:

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#### Statements on Introduced Bills:

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#### Amendments Submitted for Printing:

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#### Notices of Hearings:

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#### Additional Statements:

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#### Nominations:

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**Adjournment:** Senate convened at 12 noon, and adjourned at 2:03 p.m., until 2 p.m., on Tuesday, November 30, 1982.



## Committee Meetings

No committee meetings were held.

## House of Representatives

### Chamber Action

**Bills Introduced:** 19 public bills, H.R. 7305-7323; 2 private bills, H.R. 7324 and 7325; and 4 resolutions, H.J. Res. 625, H. Con. Res. 428, and H. Res. 609 and 610 were introduced.

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**Bills Reported:** Reports were filed as follows:

H.R. 7044, to amend title 39, U.S.C., to strengthen the investigatory and enforcement powers of the Postal Service by authorizing certain inspection authority and by providing for civil penalties for violations of orders under section 3005 of such title (pertaining to schemes for obtaining money by false representations or lotteries), filed on October 4 (H. Rept. 97-932);

H.R. 7130, to provide a national policy for engineering, technical, and scientific manpower, to provide for cost sharing by the private sector in training such manpower, filed on October 5 (H. Rept. 97-933); and

H.R. 7076, to amend title II of the Outer Continental Shelf Act Amendments of 1978, amended, filed on October 7 (H. Rept. 97-934).

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**Member Sworn:** Representative-elect Katie Hall of Indiana presented herself in the Well of the House and the Speaker administered the Oath of Office.

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**North Atlantic Assembly:** The Speaker on November 10 appointed as members of the United States Group of the North Atlantic Assembly held November 14-19 in London, England, the following Members on the part of the House: Representatives Phillip Burton, chairman, Hamilton, vice chairman, Brooks, Rose, Oakar, Garcia, Rosenthal, Stark, Broomfield, Whitehurst, Badham, and Roth.

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**Presidential Veto Message:** Received and read a message from the President wherein he announced his veto of H.R. 1371, to amend section 12 of the Contract Disputes Act of 1978, and explains his reasons therefor—referred to the Committee on the Judiciary and ordered printed (H. Doc. 97-253).

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**Ellender Fellowship Program:** House passed S. 3002, to increase the authorization of appropriations for the Allen J. Ellender fellowship program.

Agreed to the committee amendment.

Agreed to amend the title.

Subsequently, the House insisted on its amendments and asked a conference with the Senate. Appointed as conferees: Representatives Perkins, Ford of Michigan, Andrews, Miller of California, Corrada, Kildee, Williams of Montana, Hawkins, Biaggi, Ratchford, Washington, Smith of Iowa, Goodling, Jeffords, Coleman, Erdahl, Petri, Roukema, DeNardis, Craig, Erlenborn, and Fenwick.

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**Presidential Messages:** Received and read the following messages from the President:

**Federal pay:** Message transmitting the President's report on the pay adjustments he ordered for the Federal statutory pay systems in October 1982—referred to the Committee on Post Office and Civil Service and ordered printed (H. Doc. 97-254);

**Railroad retirement:** Message transmitting the Annual Report of the Railroad Retirement Board for fiscal year 1981—referred to the Committee on Energy and Commerce;

**Highway and vehicle safety:** Message transmitting the annual reports on the administration of the Highway Safety Act and the National Traffic and Motor Vehicle Safety Act—referred to the Committees on Energy and Commerce and Public Works and Transportation;

**Iran-United States:** Message transmitting the report with respect to developments between the last report of May 6 and mid-October 1982 concerning the national emergency with respect to Iran—referred to the Committee on Foreign Affairs;

**Hazardous materials transportation:** Message transmitting the Twelfth Annual Report on Hazardous Materials Transportation for calendar year 1981—referred to the Committees on Energy and Commerce, Merchant Marine and Fisheries, and Public Works and Transportation;

**Iran emergency:** Message transmitting a notice that the Iran emergency is to continue in effect beyond the November 14, 1982 anniversary date—referred to the Committee on Foreign Affairs;

**Alaska's minerals:** Message transmitting the first annual report on Alaska's mineral resources covering 1982—referred to the Committee on Interior and Insular Affairs;

**HUD:** Message transmitting the Seventeenth Annual Report of the Department of Housing and Urban Development covering the calendar year 1981—referred to the Committee on Banking, Finance and Urban Affairs;

**Severe energy supply:** Message transmitting a memorandum of law, prepared by the Attorney General in consultation with the Secretary of Energy, describing the nature and extent of the authorities available to the President under existing law to respond to a severe energy supply interruption or other substantial reduction in the amount of petrole-

um products available to the United States—referred to the Committee on Energy and Commerce;

*Economic opportunity:* Message transmitting the Thirteenth and Final Report of the National Advisory Council on Economic Opportunity—referred to the Committee on Education and Labor; and

*U.S. trade policy:* Message transmitting the Twenty-sixth Annual Report on the Trade Agreements Program 1981-1982—referred to the Committee on Ways and Means.

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**Nuclear Waste Disposal:** House continued consideration of H.R. 3809, the Nuclear Waste Policy Act of 1982; but came to no resolution thereon. Proceedings under the 5-minute rule are scheduled to continue on Thursday, December 2.

By a yea-and-nay vote of 333 yeas to 4 nays, Roll No. 393, the House resolved itself into the Committee of the Whole.

Agreed To:

An amendment that extends the deadlines for submission of a proposal for a MRS facility from two years to five years, to require the preparation of an EIS prior to construction of such a facility, and to subject the facility to licensing by the NRC;

An amendment that clarifies that defense facilities and activities will be exempt from the test and evaluation program;

An amendment that requires that the guidelines for site qualification must include transportation and safety factors involved in moving waste to the site;

An amendment that requires that at least three site characterization studies be carried out in at least two different geological media;

An amendment that requires the Department of Energy reclaim land and mitigate environmental impacts caused by site characterization activities once a site has been disqualified; and

An amendment that substitutes a one-House ratification for the bill's two-House override provision of a state's notice of disapproval of the final repository site selection (agreed to by a recorded vote of 190 yeas to 184 noes, Roll No. 396).

Rejected:

An amendment that sought to require a state's notice of disapproval to siting of interim storage facilities within their boundaries be sustained by a majority vote of one House of Congress before it could become effective instead of the bill's requirement of a two-House override (rejected by a recorded vote of 181 yeas to 194 noes, Roll No. 394); and

An amendment that sought to disqualify highly populated areas or areas containing 1,000 or more people per square mile from consideration as potential waste sites (rejected by a recorded vote of 81 yeas to 296 noes, Roll No. 395).

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**Referrals:** Twenty-three Senate-passed measures were referred to the appropriate House committees.

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**Lobbyists:** The compilation by the Clerk of the House and the Secretary of the Senate of all new registrations and reports for the third calendar quarter of 1982, and reports for the second calendar quarter of 1982 received too late to be previously published, that were filed by persons engaged in lobbying activities appear in this issue of the Congressional Record.

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**Adjournment:** Met at noon and adjourned at 6:54 p.m.

## Committee Meetings

### HANDICAPPED INDIVIDUALS SERVICES AND TRAINING ACT

*Committee on Education and Labor:* Subcommittee on Select Education approved for full Committee action an amended H.R. 6820, Handicapped Individuals Services and Training Act.

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*Tuesday, November 30, 1982*

## Senate

### Chamber Action

*Routine Proceedings, pages 27937-28027*

**Measures Introduced:** Ten bills and two resolutions were introduced, as follows: S. 3045-3054, S. Con. Res. 128, and S. Res. 497.

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**Measures Reported:** Reports were made as follows:

S. 2469, providing for improved international telecommunications, with an amendment in the nature of a substitute (with additional views). (S. Rept. No. 97-669)

S. Res. 474, waiving section 402(c) of the Congressional Budget Act of 1974 with respect to the consideration of S. 2411, authorizing funds through fiscal year 1986 for Federal criminal justice assistance to aid State and local law enforcement efforts.

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**Antitrust Contributions:** By 67 yeas to 20 nays, Senate agreed to a motion to proceed to the consideration of S. 995, providing for contribution of damages in antitrust price fixing suits, with a committee amendment thereto.

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